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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,674	10/25/2001	Robert C. Ladner	10280-140003	2458
26161	7590	05/30/2007	EXAMINER	
FISH & RICHARDSON PC			EPPERSON, JON D	
P.O. BOX 1022				
MINNEAPOLIS, MN 55440-1022				
			ART UNIT	PAPER NUMBER
			1639	
			MAIL DATE	DELIVERY MODE
			05/30/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO. 10045674	FILING DATE 10/25/01	FIRST NAMED INVENTOR LADNER ET AL.	ATTORNEY DOCKET NO. 10280-140003
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EXAMINER

Jon D. Epperson

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20070525

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Commissioner for Patents

Non-Responsive Amendment (Bonafide)

The reply dated 3/30/2007 is not fully responsive to the prior Office action because of the following omission(s) or matter(s):

Applicants stated that all of the claims read on the elected species/invention in their 3/20/07 Response. However, this appears to be in error. The amendment filed on 12/11/06 canceling all claims drawn to the elected invention (i.e., Group IV drawn to a library of proteins) and presenting only claims drawn to a non-elected invention (i.e., Group III drawn to the currently claimed "genetic packages") is non-responsive (MPEP § 821.03). Thus, all pending claims (i.e., 227-248) are drawn to the non-elected Group III invention because all of the claims are drawn to "genetic packages" as set forth in Group III (e.g., see 2/28/05 Restriction, page 2, paragraph 1).

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Jon D. Epperson, Ph. D., Art Unit 1639, whose telephone number is (571) 272-0808.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1600.

Jon D. Epperson Ph.D.  
Patent Examiner

JON EPPERSON  
PRIMARY EXAMINER